

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION

TREVOR FITZGIBBON,	)	
	)	
Plaintiff,	)	
	)	Civil Action No. 3:19-cv-477-REP
vs.	)	
	)	
JESSELYN A. RADACK,	)	
	)	
Defendant.	)	

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**DEFENDANT'S MOTION TO DISMISS PURSUANT TO**  
**FED. R. CIV. P. 12(b)(1), (b)(2), and (b)(6)**

Defendant Jesselyn A. Radack, by and through undersigned counsel, and pursuant to Fed. R. Civ. P. 12(b)(1), (b)(2), and (b)(6) hereby moves to dismiss with prejudice the Complaint filed herein by Plaintiff Trevor Fitzgibbon for lack of subject matter jurisdiction, lack of personal jurisdiction, and failure to state a claim upon which relief may be granted, and in support thereof, respectfully refers the Court to the accompanying Memorandum in Support.

WHEREFORE, Jesselyn A. Radack respectfully requests that the Court grant the instant motion and enter the attached proposed Order.

Dated: September 9, 2019

Respectfully submitted,

JESSELYN A. RADACK

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By: /s/ D. Margeaux Thomas

D. Margeaux Thomas (VSB #75582)

*Counsel for Defendant Jesselyn A. Radack*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 9<sup>th</sup> day of September 2019, I will electronically file the foregoing with the Clerk of the Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

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/s/ D. Margeaux Thomas

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